PROCEEDINGS

OF THE

TRAVANCORE SRI CHITRA STATE COUNCIL.

THIRD COUNCIL.

THIRD SESSION—FIRST MEETING.

Friday, the 10th August 1945/26th Karkatakam 1120.

(OFFICIAL REPORT)

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Mr. A. N. Satyanesan : ഈ പട്ടികയിൽ പറയുന്നതിൽ ഏതെങ്കിലും പുതിയ നിയമനങ്ങൾ ഉണ്ടായിട്ടുണ്ടോ?

Mr. G. Narayanan Thampi : പുതിയ നിയമനം ഒന്നുമില്ല.

Mr. A. N. Satyanesan : ഇതരഡിപ്പാർട്ടുമെൻറുകളിൽനിന്നു മാററി നിയമിക്കപ്പെട്ടതായി ഏതെങ്കിലും ഉണ്ടോ?

Mr. G. Narayanan Tampi : ഇല്ല.

Appointment of officers drawing Rs. 150 and above.

2. ***Mr. Paul A. Thaliath** (*Parur, Kunnatnad and Muvattupuzha cum Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of officers drawing a salary of Rs. 150 and above appointed in the years 1119 and 1120?

Mr. G. Narayanan Tampi : The religion or community of particular officers can be maid out from the name given in the Civil List.

Mr. Paul A. Thaliath : Does the Civil List contain the castes of officers also?

Mr. G. Narayanan Tampi : It gives such information about religion and apparently about the castes also as could be made.

President : Order, order. In the course of a similar series of questions elsewhere, I stated that in order to avoid the tremendous waste of time and energy of the honourable members who put these questions and of the Government who answer them, there will be published at the beginning of each year, a complete list of all the officers employed by Government with their castes and communities, so that all the information would be available, thus obviating the necessity of putting all these questions from time to time on the floor of this House.

Reorganisation of the Ayurveda Department.

3. ***Mr. A. N. Satyanesan** : Will the Government be pleased to state whether they have in view any scheme for the reorganisation of the Ayurveda Department in the State?

Mr. C. P. Gopala Panicker (*Secretary to Government*) : No new reorganisation is contemplated at present. The recommendations of the Medical Committee are being carried out.

Mr. A. N. Satyanesan : ആയുർവേദവകുപ്പിലെ പാഠപുസ്തകങ്ങൾ എഴുതുന്നതിനെ പരിഗണിച്ചും, വൈദ്യകലാനിധി പരീക്ഷയുടെ കാലാവധി വർദ്ധിപ്പിച്ചതിനെ പരിഗണിച്ചും ഇതെല്ലാം ഒരു പരിഷ്കാരത്തിൻെറ നാന്ദിയായി സ്വീകരിക്കാൻ കഴിയുമോ എന്നു മെമ്പർക്കു പറയാമോ?

Mr. C. P. Gopala Panicker : ഈ പരിഷ്കാരമെല്ലാം കഴിഞ്ഞകൊല്ലത്തിൽ നടപ്പാക്കിയതാണ്.

Mr. K. A. Raman Pillai (*Municipal Councils*) : Will the honourable member give an idea of the main recommendations of the Committee which were already carried out?

Mr. C. P. Gopala Panicker : The courses of studies were re-organised and the period for the training of the Vaidyan has been extended from three to five years. A new syllabus was prepared and in order to fit in with that syallabus a committee was appointed to re-write the text-books based on the ancient texts. A central herbarium was started with a view to rearing and exhibiting specimens of rare medicines. Special courses in nethra chikitsa, Visha Vaidyam and Marma Chikitsa have been started. The several local Ayurvedic Institutions, which were located in the different parts of the city, have been now housed in one and the same premises so that more efficient control and supervision might be possible at the hands of the Director. There is a proposal to re-organise the grant-in-aid vaidysalas; the useless vaidyans will be eliminated and qualified men will be substituted. These are some of the items of reforms we have introduced.

Mr. T. M. Chidambarathanu Pillai (*Tovala* cum *Agastiswaram*): Is there any provision for Siddha Vaidyam?

Mr. C. P. Gopala Panicker : Yes.

Opening of temporary Ayurveda Vaidyasalas during Makaravilakku Festival.

4. ***Mr. N. Narayana Kurup** (*Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertallai*): Will the Government be pleased to state:

(*a*) the number of temporary Vaidyasalas opened in connection with the Makaravilakku festival and the places at which they are opened;

(*b*) the number of pilgrims who were treated in those Vaidyasalas during the years 1118, 1119 and 1120;

(*c*) for how many days these Vaidyasalas are kept open;

(*d*) the dates from which they are opened:

(*e*) whether the present supply of Ayurvedic medicines meets the demand of the pilgrims; and

(*f*) the amount sanctioned for each Vaidyasala for the above three years?

Mr. C. P. Gopala Panicker: (*a*) Vaidyasalas were opened at Erumeli, Pampa and Shabarimala.

(*b*) The number of pilgrims treated in the Vaidyasalas was as follows:—

[Mr. C. P. Gopala Panicker]

Year	*Erumeli*	*Pampa*	*Sabarimala.*
1118	4307	5082	4567
1119	5315	5794	4795
1120	6228	6494	6001

(*c*) and (*d*) The Vaidyasalas are kept open every year for five days from the 23rd, 26th and 27th Dhanu respectively.

(*e*) There were reports from Vaidyans in charge of them at Pampa and Sabarimala that medicines supplied were not adequate enough to meet the requirements.

(*f*) The following amounts were sanctioned for the three Vaidyasalas :—

Year	*Erumeli*			*Pampa*			*Sabarimala*		
	Rs	Ch.	C.	Rs.	Ch.	C.	Rs.	Ch.	C.
1118	50	0	0	130	0	0	160	0	0
1119	60	0	0	182	14	0	167	14	0
1120	50	0	0	200	0	0	180	0	0

Mr. N. Narayana Kurup : With reference to items (*c*) and (*d*) may I know from the honourable member, for how many days after the 1st Makaram the pilgrims are found at Sabarimala?

Mr. C. P. Gopala Panicker : It depends upon the convenience of the pilgrims.

Mr. N. Narayana Kurup : May I know from the honourable member whether the Government are aware that till 7th Makaram the pilgrims in large numbers are expected to gather there?

Mr. C. P. Gopala Panicker : Some of them may be halting there. If the idea of the honourable member is to provide medical aid for them also arrangements will be made.

Mr. N. Narayana Kurup : May I know whether the Government think that the amount allotted for each dispensary at Erumeli Pampa, and Sabarimala is sufficient, when considering the thousands of people being treated by the Vaidyans in those places?

Mr. C. P. Gopala Panicker : Year after year the amount is being increased. The vaidyans have reported that some more medicines should be sent and they will be sent next year.

Mosquito control work.

5. ***Mr. K. A. Raman Pillai :** Will the Government be pleased to state the amount of grant given to the Corporation of Trivandrum for mosquito control work for each of the last four years?

Mr. C. P Gopala Panicker : Rs. 3,882 for each of the last four years.

Mr. K. A. Raman Pillai : May I know whether the Government are aware that the Corporation of Trivandrum is spending thrice the amount of grant given by Government.

Mr. C. P. Gopala Panicker: The grant has been fixed by the Government.

Mr. K. A. Raman Pillai: May I know whether the Corporation has addressed the Government in the matter?

Mr. C. P. Gopala Panicker: I am not aware of it.

Mr. K. A. Raman Pillai: May I know whether the Corporation has forwarded a resolution of the Corporation Council?

Mr. C. P. Gopala Panicker: I am not aware.

Municipal towns without electric lights.

6. ***Mr. K. A. Raman Pillai**: Will the Government be pleased to state the names of Municipal towns without electric lights?

Mr. C. P. Gopala Panicker: Attingal, Colachel, Kuzhithura, Neyyattinkara, Padmanabhapuram and Vaikom.

Employees of the Trivandrum Corporation.

7. ***Mr. A. N. Satyanesan**: Will the Government be pleased to lay on the table a statement, by caste, of the employees of the Trivandrum Corporation above the rank of the menials, their designation and present pay?

Mr. C. P. Gopala Panicker: The Corporation is an independent statutory body. Government have no concern with the normal internal affairs of that body.

Mr. A. N. Satyanesan: പൊതുമുതലിൽനിന്നും ഒരു വലിയ തുക ഗ്രാൻറായി കൊടുക്കുന്നതിനെ പരിഗണിച്ചും വിവിധ ആദായങ്ങളിന്മേലുള്ള നികുതി ഈടാക്കുന്നതിനെ കണക്കാക്കിയും കാർപ്പറേഷനിൽനിന്നു നടത്തപ്പെടുന്ന നിയമനങ്ങളെപ്പറ്റി പൊതുജനപ്രതിനിധികൾക്കോ, ഗവൺമെൻറിനോ ശരിയായ വിവരം നൽകുവാനർഹതയില്ലെന്നാണോ ഗവൺമെൻറു കരുതുന്നത്?

Mr. C. P. Gopala Panicker: കാർപ്പറേഷൻ ഒരു പ്രത്യേക ആക്ററനുസരിച്ചു ഭരിക്കപ്പെടുന്ന ഒരു സ്ഥാപനമാണ്. ആ ആക്ററനുസരിച്ച് ഗവൺമെൻറിനു ചില അധികാരങ്ങൾ ഉണ്ട്. അതിൽ കൂടുതൽ കൈകടത്താൻ ഗവൺമെൻറു വിചാരിക്കുന്നില്ല.

Mr. A. N. Satyanesan: കാർപ്പറേഷൻ നടത്തുന്ന നിയമനങ്ങളെപ്പറ്റി പരാതിയുണ്ടായാൽ അതേപ്പറ്റി ഗവൺമെൻറ് അന്വേഷിക്കുന്നതു ശരിയല്ലെന്നാണോ മെമ്പറിൻെറ അഭിപ്രായം.

President: Order, order. Both the University and the Corporation and the various Municipalities are self-governing institutions, to which this house is giving certain grants. Generally speaking. Government do not interefere in the internal management or the the selection of nominees and appointees by these bodies. If affairs reach such a stage that this House, as a voting House,

[President]

when voting grants, considers that either the Municipality, or the Corporation or the University have misconducted themselves or abused the trust reposed in them by the public, they are partial or biassed or acting capriciously, then it is open to the honourable members to vote down the grant. Supposing this House takes the view that a certain series of appointments should be made amongst certain communities and the corporation takes a different view. What is this Government to do? Are they to conduct the affairs of the Corporation or compel the corporation to appoint some persons; with the chance that the Corporation may turn round and say "we have been forced to appoint so and so, so we are not responsible if any thing happens." That is the real difficulty.

Recruitment to the Trivandrum Corporation.

8. ***Mr. A. N. Satyanesan**: Will the Government be pleased to state whether recruitment to the Corporation service is based upon the Public Service Recruitment rules, or any other principles specially adopted?

Mr. C. P. Gopala Panicker: The Corporation is an independent statutory body. Government have no concern with the normal internal affairs of that body.

Tanks within the limits of the Trivandrum Corporation.

9. ***Mr. A. N. Satyanesan**: Will the Government be pleased to state:

(*a*) the number of tanks within the limits of the Trivandrum Corporation which have been filled up during the last ten years;

(*b*) the number of tanks in the area now available for bathing purposes;

(*c*) the expenditure incurred by the Corporation in maintaining them during 1119;

(*d*) the number of public baths provided with pipe water in the area;

(*e*) the number of such public baths contemplated by the Corporation to be constructed in 1121; and

(*f*) the amount budgeted for the purpose?

Mr. C. P. Gopala Panicker: (*a*) Two.

(*b*) Fifteen.

(*c*) Rs. 980-0-0.

(*d*) Two.

(*e*) Four.

(*f*) The budget of the Corporation for 1121 is being considered by the Council and an amount of Rs. 10,000 has been provided in the Budget for the construction of latrines, urinals, public baths etc.

Documents registered in the State.

10. ***Mr. A. N. Satyanesan**: Will the Government be pleased to state :

(*a*) whether there were any reasons for the fall in the number of documents registered in the State in 1119 by 1,19,711 below that in 1118, and if so, what those reasons were ;

(*b*) what is the loss of the revenue to the Government and their accounts ; and

(*c*) whether any reduction in the number of Sub-Registrars' Offices was made in 1119 as compared with their number in 1118 ?

Mr. C. P. Gopala Panicker : (*a*) Conditions which were abnormal in the year 1118 did not exist during 1119.

(*b*) There was no loss of revenue.

(*c*) No.

Registration of Chitties.

11. ***Mr. A. N. Satyanesan**: Will the Government be pleased to state whether there was any increase in the number of Chitties registered in 1119, over that registered in 1118, and if so, the number of the increase ?

Mr. C. P. Gopala Panicker : Yes; 296.

Mr. G. Ravi Varma (*Trivandrum and Nedumangad cum Chirayinkil*) : Are the Government aware that about 700 chitties have been registered since the beginning of this year ?

Mr. C. P. Gopala Panicker : Government are not aware.

Inspection of the Director of Registration.

12. ***Mr. A. N. Satyanesan**: Will the Government be pleased to state the number of Sub-Registrars' Offices inspected by the Director of Registration by surprise visits in 1119 ?

Mr. C. P. Gopala Panicker : Thirteen.

Mr. A. N. Satyanesan : ഡയറക്ടർ അവിചാരിതമായി പരിശോധന നടത്തുമ്പോൾ ഏതെങ്കിലും തകരാറുകളോ ക്രമക്കേടുകളോ കണ്ടുപിടിച്ച് റിപ്പോർട്ടു ചെയ്തിട്ടുണ്ടോ?

Mr. C. P. Gopala Panikar : ചില കാര്യങ്ങൾ റിപ്പോർട്ടു ചെയ്തിട്ടുണ്ട്.

Mr. A. N. Satyanesan : അതിന്മേൽ ഏതെങ്കിലും ശിക്ഷണനടപടികൾ നടത്തിയിട്ടുള്ളതായി അറിയാമോ?

Mr. C. P. Gopala Panicker : ഡയറക്ടരുടെ അധികാരപരിധിയിൽപ്പെട്ടിടത്തോളം ശിക്ഷണനടപടികൾ ഡയറക്ടർതന്നെ നടത്തിയിട്ടുണ്ട്. ഗവണ്മെന്റു ചെയ്യത്തക്ക ഗൗരവമായ കാര്യങ്ങൾ പ്രത്യേകമായി ഗവണ്മെന്റിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവന്നിട്ടില്ലായിരുന്നു.

Dam of Kumbalam thodu.

13. ***Mr. N. Narayana Kurup :** Will the Government be pleased to state:

(*a*) whether there is a dam at Kumbalam thodu wherefrom water is being taken through pipes to the Sabarimala temple ;

(*b*) what is the capacity of the dam ;

(*c*) whether more water could not be stored if the capacity of the dam is increased ;

(*d*) the number of pipes that come from the dam and its size :

(*e*) the number of taps in the temple and premises ; and

(*f*) whether more taps could not be opened if the capacity of the dam is increased which would enable the numberless pilgrims to get more water ?

Dewan Bahadur L. Veakatakrishnan (*Chief Engineer P. W. D.*): (*a*) Yes.

(*b*) About 1,000 C. ft.

(*c*) No. The dam is not intended for a storage reservoir, and as such by raising the crest of the dam an adequate storage reservoir cannot be secured.

(*d*) One main pipe 2″ about 2600 ft. long with $1\frac{1}{2}''$ and 1″. branches thereof.

(*e*) 3 taps within the temple compound and 3 taps outside.

(*f*) Yes.

Mr. N. Narayana Kurup : May I know from the honourable member whether more water could not be stored by raising the crest of the dam ?

Dewan Bahadur L. Venkatakrishnan : My information at present is that more could not be stored.

Town Planning Scheme.

14. ***Mr. K. A. Raman Pillai :** Will the Government be pleased to state :

(*a*) whether any town planning scheme was sanctioned by them in respect of any of the Municipalities ; and

(*b*) if so, in respect of which of the Municipalities has the scheme been sanctioned ?

Dewan Bahadur L. Venkatakrishnan : (*a*) Yes.

(*b*) The Trivandrum Corporation.

Mr. K. A. Raman Pillai : May I know from the honourable member whether the Corporation of Trivandrum has submitted a scheme regarding town planning.

Dewan Bahadur L. Venkatakrishnan : They have not, a scheme has been referred to them.

President : I hope they will. They have taken about seven years to submit a scheme.

Sinking of a well in the Satrom at Vandiperiyar.

15. ***Mr. N. Narayana Kurup**: Will the Government be pleased to state:

(a) whether they have constructed a Satrom at the Padinjarapara Estate for the use of the Sabarimala pilgrims;

(b) whether they are aware that the pilgrims who assemble there are put to very great difficulties for want of drinking water;

(c) whether a well was sunk in the Satrom compound;

(d) whether the well was completed;

(e) whether water is available in that well; and

(f) if not, why?

Dewan Bahadur L. Venkitakrishnan: (a) Yes.

(b) Yes.

(c) Yes, partly.

(d) No.

(e) No.

(f) After sinking the well to 18 ft. depth rock was met with which was bored to 24 ft. depth, but no springs were found.

Mr. N. Narayana Kurup: May I know from the honourable member, with reference to the answer to part (f), when it was found that further sinking is possible?

Dewan Bahadur L. Venkitakrishnan: Actually we have done something more. We have dug up to 80 feet depth very recently. We are now trying to blast out the wells and see whether we cannot do more.

Mr. N. Narayana Kurup: May I know whether the Department is trying another?

Dewan Bahadur L. Venkitakrishnan: We are, Sir.

Kodayar Extension Project.

16. ***Mr. A. N. Satyanesan**: Will the Government be pleased to state:

(a) whether the Right Bank Channel from the Kodayar Reservoir is extended to be worked out under the present Kodayar Extension Project;

(b) if so, whether it will irrigate lands in the Neyyattinkara taluk;

(c) if so, the extent of old adjacent paddy lands and newly convertible land the channel will irrigate in that taluk; and

(d) whether it is proposed to construct new tanks to work with the channel?

Dewan Bahadur L. Venkitakrishnan: (a) No.

(b) No.

(c) The question does not arise in view of the answer to part (b).

(d) No.

Muriapalam Bridge.

17. ***Mr. K. G. Narayana Panicker** (*Mavelikara and Tiruvella cum Pattanamthitta*): Will the Government be pleased to state:

(*a*) whether any report has been received that Mathilbhagom-Tukalasseri road within Tiruvalla town is not open to traffic by car due to the fall of Muriapalam bridge; and

(*b*) if so, what action has been taken in the matter?

Dewan Bahadur L. Venkatakrishnan: (*a*) Yes.

(*b*) An estimate has been prepared and is under scrutiny.

Bridge over the Neyyar river at Poovar.

18. ***Mr. A. N. Satyanesan:** Will the Government be pleased to state:

(*a*) whether it is proposed to construct a bridge over the Neyyar river at Poovar; and

(*b*) whether it has been investigated and estimated for?

Dewan Bahadur L. Venkatakrishnan: (*a*) Yes.

(*b*) Yes.

Mr. A. N. Satyanesan: May I know from the honourable member when that item of work will be taken up?

Dewan Bahadur L. Venkitakrishnan: Some times this year. The plans are just ready.

Padanayarkulangara-Sasthancottah road.

19. ***Mr. N. Narayana Kurup:** Will the Government be pleased to state:

(*a*) whether they have received any representation or many representations from the people of Thevalakara in Karunagapalli to take up the short cut ryot road between the 3rd and 19th miles Padanayarkulangara-Sasthancotta road meeting the Kuttivalam-Arimalloor road at Thevalakara public market, for maintenance;

(*b*) if so, when was it or when were they received and what action has been taken;

(*c*) whether they have sanctioned the land acquisition for the above-said road in 1116;

(*d*) whether the people have deposited Rs. 497 for compensation to owners whose lands had to be acquired as per the orders of Government, and if so, when was the deposit made;

(*e*) whether an estimate for Rs. 13,000 and odd was prepared for the construction of the above road at any time, and if so, when; and

(*f*) whether any chance of completion of the above road can be expected?

Dewan Bahadur L. Venkatakrishnan : (*a*) Yes.

(*b*) In 1929, 1935, 1937, 1939, 1944 and 1945. An estimate has been prepared and is under scrutiny.

(*c*) Sanction was given only in Chingom 1119 M. E.

(*d*) A sum of Rs. 296-25-5 has been deposited by the people to compensate the owners who were unwilling to surrender their lands to Government free of cost. The deposit was made on 18-12-1118.

(*e*) Yes in 1120.

(*f*) Yes.

Mr. N. Narayana Kurup : May I know from the honourable member when the estimate was prepared ?

Dewan Bahadur L. Venkatakrishnan : It is an old estimate. It has all been revised. I have just received the revised estimates.

Mr. N. Narayana Kurup : May I know whether any amount has been provided in the budget for 1121.

Dewan Bahadur L. Venkatakrishnan : The estimate has just been received. We shall try to meet the expenditure by diversion.

Work of cutting open Chakkalammukku in Thalavady.

20. ***Mr. N. Narayana Kurup** : Will the Government be pleased to state :

(*a*) whether the work of cutting open Chakkalumukku in Thalavady in Ambalapuzha is begun ;

(*b*) if so, when was it begun ;

(*c*) whether the work is complete ; and

(*d*) if not, what time more will be required for the completion ?

Dewan Bahadur L. Venkatakrishnan : (*a*) Yes.

(*b*) In 1118 M. E.

(*c*) No.

(*d*) The work is expected to be conpleted by the end of 1120 M. E.

Opening a road from Alleppey to Kottayam.

21. ***Mr. N. Narayana Kurup** : Will the Government be pleased to state :

(*a*) whether there was a proposal or representation from any section of the people at any time for opening a road from Alleppey to Kottayam *via* Punnamada-Pallam or *via* Muhamma ;

(*b*) if so, when was the proposal or representation made ; and

(*c*) whether such a road is included in the Post-war reconstruction scheme ?

Dewan Bahadur L. Venkatakrishnan: (a) Yes.

(b) In 1120 M. E.

(c) No.

Minor roads repaired by P. W. D. in the Trivandrum City.

22. ***Mr. K. A. Raman Pillai:** Will the Government be pleased to lay on the table a list of minor roads repaired by the P. W. D. in the City of Trivandrum during 1119?

Dewan Bahadur L. Venkatakrishnan: The list is placed on the Secretary's table.

Electric power.

23. ***Mr. N. Narayana Kurup:** Will the Government be pleased to state:

(a) whether they have received any representation from the people of Kalavoor and Kattoor, Ambalapuzha, for extending electric power to that locality for industrial purposes and house consumption; and

(b) if the answer to part (a) is in the affirmative, when was it received and what action has been taken on the representation?

Mr. P. Joseph John (*Electrical Engineer to Government*):

(a) Yes.

(b) In December 1944 and in July 1945. The matter is under consideration.

Extension of electric power.

24. ***Mr. N. Narayana Kurup:** Will the Government be pleased to state:

(a) whether they have received any representation from the people of Ambalapuzha for extending electric power to the localities surrounding the Sree Krishna temple there; and

(b) if so, when was it received and what action has been taken on it?

Mr. P. Joseph John: (a) Yes.

(b) on 26-2-1945. The work will be taken up as soon as materials become available.

Extending electric power to Tiruvalla.

25. ***Mr. N. Narayana Kurup:** Will the Government be pleased to state.

(a) whether they have received any representation from the people of Thalavady, Ambalapuzha, for extending electric power to Edathua from Tiruvalla: and

(b) if so, when was it received and what action has been taken on the representation?

Mr. P. Joseph John: (*a*) and (*b*) The member is referred to the answer to his interpellation No. 2. furnished at the meeting of the Council on the 6th September 1944.

Mosquito trouble in urban areas.

26. ***Mr. K. A. Raman Pillai:** Will the Government be pleased to state the steps taken by them for the eradication of mosquito trouble in urban areas?

Rajyasevanirata Dr. M. K. Gopala Pillai (*Director of Public Health*): Mosquito control operations are now in vogue in the statutorily recognised urban areas of Trivandrum Corporation, and the Municipalities of Alleppey, Nagercoil, Neyyattinkara Quilon, and Kottayam. In respect of the Corporation of Trivandrum and the municipality of Nagercoil, Government contributes annually sums of Rs. 3882 and Rs. 600 respectively.

So far as the other municipalities are concerned the work is undertaken directly by the Public Health Department and the respective municipalities contribute half the actual expenditure every year.

The mosquito control measures in operation in these areas consist of oiling, spraying treatment of mosquito-breeding places etc.,.

Leprosy Hospital at Colachel.

27. ***Mr. K. A. Raman Pillai:** Will the Government be pleased to state:

(*a*) whether they are aware of the existence of a Leprosy Hospital at Colachel conducted by the L. M. S.;

(*b*) whether they have received complaints from the public of the locality regarding the location of the Hospital just on the outskirts of the Municipality;

(*c*) if so, what action has been taken by them in regard to the same; and

(*d*) if no action has been taken, the reasons therefor?

Dr. S. John (*Surgeon-General*): (*a*) Yes.

(*b*) No.

(*c*) & (*d*) In view of the answer to part (*b*), these do not arise.

T. B. Hospital Nagercoil.

Mr. K. A. Raman Pillai: May I know from the honourable member whether complaints have been received from the Colachel municipality regarding the location of the hospital?

Dr. S. John: I have not received any.

28. * **Mr. K. A. Raman Pillai:** Will the Government be pleased to state:

(*a*) the number of beds at present in the general ward in the T. B. Hospital, Nagercoil;

(*b*) the number of beds at present in the paywards;

(*c*) the number of applications for admission to the T. B Hospital during the year 1119;

(*d*) the number admitted in 1119;

(*e*) whether there are applications of the year 1119 still in the waiting list;

(*f*) the number of applications at the end of Edavom 1120 in the waiting list; and

(*g*) the number of out-patients treated in the Hospital from the beginning of 1119 up to the end of Edavom 1120?

Dr. S. John: (*a*) 20.

(*b*) 4.

(*c*) 198.

(*d*) 196.

(*e*) Yes.

(*f*) 90.

(*g*) 15,143.

Appendix.

Vide Answer to Question No. 1.

Statement of the new appointments in connection with the reorganisation scheme in the Secretariat.

One Secretary to Government and the following temporary Staff:—

1.	Assistant Secretary	... one.
2.	Superintendent	... one.
3.	Clerks	... sixteen.
4.	Typists	... four.
5.	Peons	... fourteen.

ADJOURNMENT MOTIONS.

President: Order, order. I have received notice of three motions for adjournment of the business of the House. The first is, by Mr. Narayana Kurup;

> "I beg leave to move that the business of this House be adjourned for discussing a definite matter of urgent public importance namely the unsafe condition of Vernacular schools, evidenced by the fall of M. M. School, Kulasekharapuram, M. P. School attached to E. M. S. for girls, Alleppey, and the M. P. School, Paudalam and the consequent alarm and panic among the guardians of students of vernacular schools."

I would suggest to the honourable member that this would be a very good subject for discussion either in the general discussion or when the Education Demand comes up. But I cannot rule it out of order.

Mr. N. Narayana Kurup: I will be satisfied with the discussion on the Education Demand. I shall withdraw it now.

President: The other is, also by Mr. Narayana Kurup:

> "I beg leave to move that the business of the House be adjourned for discussing a definite matter of urgent public importance namely the alarm and panic created among the paddy cultivators and cocoanut growers of the State and the agriculturists in general, by the decision of the Government in changing the existing policy of land tax by introducing a basic land tax irrespective of the productivity of the land and assessing tax on agricultural income over a specific amount which will be fixed by the Government later."

Mr. N. Narayana Kurup: In this case also I will be satisfied with the discussion on the Land Revenue Demand.

President: Thank you. The third motion is by Mr. K. S. Joseph:

> "......motion for the adjournment of the House for the purpose of discussing a definite matter of urgent public importance viz, the situation created in the country by the ban issued by the District Magistrate, and referred to in the Government Press Note, prohibiting the Communist party conference and allied activities."

There is no doubt it is urgent and of public importance. Has the member the leave of the House?

Mr. K. G. Kunjukrishna Pillai (*Advocate General*): I object.

The question whether the member has the leave of the House was put to the House. As only three members rose in their seats there was not the necessary leave.

PRESIDENT'S STATEMENT.

President: Order, order. As I do not wish to encroach upon the time allotted for general discussion tomorrow and as there are some matters that have arisen since I addressed the Joint Session of the two Houses which I wish to place before the House, I take this opportunity to do so especially as I realise that the legislative work today is not very extensive and will be completed very soon.

The first subject which I wish to mention is with reference to a decision which has been taken very recently by Government and which was announced yesterday in another place. This Government, according to the usual procedure, have to give toll gate contracts and they have invited tenders for the purpose. The tenders are now under the consideration of Government. Government have, at the same time, been bestowing their very careful attention on the whole question of toll gate contracts and their utility. Many complaints have reached them that, especially in the matter of bullock carts and bandies, and in regard to other cases as well, there is a certain amount of delay and other circumstances such as victimisation which are inseparable from the present system of toll gate contracts. Giving the matter their most earnest consideration, this Government have come to the conclusion that toll gates and tolls should be abolished. They have arrived at that decision and are communicating it to this honourable House very early so that they may be apprised of the fact that beginning from 1121, i. e., in a few days from now, all tolls will be abolished. In order to compensate for the loss of revenue which is in the neighbourhood of Rs. 5,90,000 now and has been more or less varying between 5½ and 6 lakhs, in recent years, Government will adopt the same procedure as is adopted in provinces like Bombay and Madras, namely of levying a kind of fee on motor vehicles and lorries and so forth. But Government have directed the authorities who are working out the details to levy the fee at a rate which will be roughly 75 per cent. of the Madras rates. It is my duty to take this House into confidence and to inform them that from the beginning of the next financial year, toll gates, and tolls will be abolished.

Another point which I wish to place before this House, is the question of Village Unions. This Government have been bestowing the most anxious consideration on the question of the Village Unions and are of the view that the revival of the village as an administrative and humanitarian unit is of paramount importance. Government have not been very successful in their efforts to introduce the co-operative spirit amongst the people at large. Certain steps are now being taken which, I trust, will produce better results than in the past. Whatever that be, Government

are anxious to give the greatest possible fillip and stimulus to the working of all village institutions including the Village Unions. It has been found that there has been a certain amount of red tape and routine and other attendant difficulties in the present constitution under which the Village Unions are really under the control of and are supervised by the Revenue officials. The main task of these village bodies is that of public health, conservancy and sanitation. It has been considered advisable that the whole of this work may be conducted under the aegis of the Public Health Department so that the impact of officialdom may not arise to the same degree and so that there may be greater freedom and scope for local activities and spontaneous work. That is another matter which I thought it was my duty to bring to the notice of this honourable House.

I may also inform honourable members that the last salary revision that took place did not comprise certain categories; the University was one such and various employees of certain departments formed another category. Government have now gone into the whole question and I think, I may fairly claim now that practically every functionary who, in Government's opinion, is entitled to be treated to a salary revision, has been given a revision of salary.

These are the announcements which Government would like to make. Then there are two or three decisions made elsewhere which I should like to bring to the notice of this House as also the opinion of Government in regard to these decisions which is provisional. One such matter is a very important one, with regard to which I shall have to make an announcement shortly. Honourable members are aware that one day, the 18th August, has been set apart for the discussion of the Education Re-organisation Committee's Report. With a view to canalising discussion, and facilitating decisions it would be desirable if the discussions are framed on specific subjects made in the form of resolutions. If members send in such resolutions after consultation among themselves so as to reduce the number of resolutions, before tomorrow evening the Secretary will have them printed and circulated.

I may mention that, as the result of the discussion elsewhere, the following main principles were accepted. The matter will, of course, have to be discussed here at some length. I do not want to anticipate or prejudice any decisions which this honourable House may arrive at. But, at the same time, in view to the statements and pronouncements made elsewhere on behalf of Government, it is as well that, before the general discussion begins tomorrow, the honourable House should be aware of how the mind

[President.]

of Government is moving, so that if members of the House consider that Government's attitude is wrong or prejudiced, they may have the fullest possible opportunity of putting forward their points of view.

The first point that arose for discussion was the question of religious and moral instruction. Various arguments on one side and the other were put forward and Government's present policy is that religious and moral instruction, useful and important and vital as it is, should, in the conditions of this country and having regard to the variety of religious beliefs, not be imparted during school hours. The alternative is that members of all religions should have the opportunity to study the religions to which they severally belong; or, in the alternative again, that the various communities should make their own arrangements for religious instruction of persons belonging to that religion, and that within school hours such instruction should not be given. That is the present policy of Government. That was criticised and it was suggested that it ought to be open to certain aided institutions, which believe in the important and paramount character of religious instruction, to be able to give such instruction during school hours. Government expressed their opinion against such a departure from the present system and I may inform the honourable House that after considerable discussion, the Assembly came to the conclusion by a vote of 38 to 19 that religious instruction should not be included within the school hours. It is a matter for full discussion here. But the honourable members of this House should be made aware of the line that the Government have taken.

The next point that arose was with reference to Primary Education in general. The Education Reorganization Committee, as the honourable House may have realised, have suggested that 75 per cent of the salaries of teachers should be paid by Government even in regard to private and aided schools. The question first arose whether it is necesssary for the State to adopt the principle of compulsory Primary Education as part of their inescapable and paramount duty. A vote was taken on that subject and the Government expressed themselves as willing to undertake the burden of compulsory Primary Education for the whole State to be worked out on a 10 year programme. That was practically carried unanimously in the Assembly. In other words, Government are committed, subject to what this honourable House might say, to a policy of their taking up the whole of the compulsory Primary Education as their obligation and duty to be introduced within the State, within every part of the State so to say, on a 10 year programme.

That matter having been dealt with, the next question arose with regard to the payment of 75 per cent advocated by the Education Reorganization Committee. The question was discussed at great length as to this matter and Government's opinion was expressed as follows. Government took the line that if they have to pay 75 per cent to the teachers, they might as well pay 100 per cent. The alternative scheme involves the following results. 75 per cent. has to be paid to managements and the choice of the teachers is not of Government's, and the payment to the teachers is through the managements and not directly by Government, such is the position. The question has arisen—I do not wish to distribute blame or praise but it has arisen as to whether the whole of that amount will reach the hands of the teachers. Government had an opportunity to consult the opinion of Primary School teachers in this matter. Government came to the conclusion that the teachers would prefer to be paid by Government. In that connection, the question of their salaries, provident fund etc., and other alternatives had also to be considered. Everything taken into account, the Government came to the conclusion that if in any event they have to pay 75 per cent. of the salaries of the teachers, they should take the bull by the horns, that is to pay 100 per cent., and take over the Primary Education as their inescapable and fundamental obligation. That was also passed by an overwhelming majority in the other House and I think it was by 52 against 9. There were certain other discussions, but they were all on smaller matters. The three points, therefore, on which the Government have, subject to the opinion of this honourable House, expressed their views are these. First of all, religious and moral instruction should be imparted, and may well be imparted, not within school hours or as part of the school curriculum as such, in which members of all communities take a share, but outside school hours when each community is at liberty to make its own arrangements for the religious and moral instruction of that community in such manner as it may be advised. The second is, assumption of the obligation by the State of conducting compulsory Primary Education throughout the State. The third is that Government should therefore undertake the management of all Primary institutions in the State: These are the three decisions which were passed with regard to the Education Reorganization Committee Report.

The other House also discussed the question of the privileges of the Legislature and the Government have decided to appoint a committee on which this House will also be invited to send their representatives for the purpose of delimiting, defining and if necessary devising methods for augmenting the privileges of the Legislature.

[President.]

The other decision that was taken and that decision also was taken after Government had expressed its opinion, relates to the land tax. As I find that there is some misconception about this matter even in the adjournment motion of which notice has been given by such an experienced and careful member of the Legislature as Mr. Narayana Kurup, I wish to make one or two points perfectly clear. Premising my remarks by the statement that the proposal made by Government has generally elicited the approval not only of various organisations and persons in this State but has generally elicited the universal approval in India and, I may add for the information of the honourable House, even beyond. I may state that the idea arises in this way. We have a very elaborate system of land tenures and we derive as a result of the present land revenue system a revenue which has varied from about 30 lakhs to about 45 lakhs. At this moment it is between 35 and 40 lakhs. Now, the settlement on which the basis of land revenue is founded, which is somewhat like the ryotwari system, is now overdue and it has been overdue in every part of the State for a long time. During the 30 years of the currency of that settlement, new factors came into being. South Travancore, on conditions which were apparently in existence at some period, was taxed in a manner and to an extent with reference to which complaints have been continually reaching Government, which complaints were investigated and found to be not baseless, as a result of which Government had to give special concessions to the Shencottah area and to the Nanjinad area. It was given fitfully and thereafter a general rule was enacted. On the other hand, in various parts of the State, new trees were planted, new plantations inaugurated, new methods of cultivation adopted as a result of which owners of lands got very large increases in income, but the taxation remained exactly what it was 30 years ago when these lands were either waste or bare. Now, how to deal with the whole question in a consolidated fashion was the problem that faced Government. If they were to start a Settlement, that settlement could not be conducted without a re-survey, not of the total area which is quite easily done but a re-survey of practically every holding. That re-survey is expected to take 3, 5, 7 or 8 years, the most optimistic estimate being 3 years and the pessimistic 8 to 10 years. If it were a re-survey, a Settlement Officer will have to be appointed and that officer will have to go round as the previous Settlement Officers did into each tenure, each holding the history of each holding and the incidence of taxes on each holding, and he will have, in the course of the Settlement operations, also to ascertain the yield and the *tharam* in respect of each land. It is estimated that the survey and settlement operations would cost between 2½

and 3 crores according to the old conditions and under present conditions probably 4 or 5 crores of rupees. As a result of an expenditure of 4 to 5 crores, it is anticipated that revenue in South Travancore will be lessened and the revenue in North Travancore will be increased, practically more or less to the same extent, and we shall arrive at the net result of 40 to 50 lakhs as the land revenue after spending, say 4 to 5 crores. It was considered that if there was an alternative method than the spending of about 5 crores and performing operations at the end of which we come more or less to the same position, such an alternative should be pursued. Government therefore came to the conclusion, that the whole question will have to be re-opened and re examined. Government had the advantage of studying what had been done in other countries with regard to this matter and they came to the conclusion that perhaps the best plan was to adopt a two-fold method. The first method is a token basic tax which in the adjournment motion before the House is described as not dependent on the yield. But it is definitely such a nominal sum that no person in the State will find it an undue burden or hardship. In other words, instead of the present system which brings us about 45 lakhs or 35 lakhs according to one computation or the other, it would bring something like 15 lakhs. That is expected to be the maximum or nearly the maximum of the amount to be brought in by way of basic tax. That is to be brought in by an absolute uniform system of payment of so much per acre throughout the State. That is not as land revenue. It is as a token of the circumstance that the Sovereign or the State is, in ultimate legal theory, entitled to certain rights and privileges in regard to land and as a token of fealty to the Sovereign and in recognition of the Sovereign's intimate contact with the land holding and land tenure which is one of the essentials of the Indian revenue system. That basic tax therefore is literally a nominal tax brought in or introduced for the purpose indicated by me as absolutely uniform throughout the State. That having been done, then we came to the other difficulties in connection with land revenue, its assessment and its realisation. Every year, the Jamabandhi had to be conducted. The yield in various localities had to be ascertained, *chavi* had to be settled, remissions had to be given or adjudicated upon. The impact of the revenue official was apprehended in some quarters as very oppressive in the case of basic tax or incometax—but the impact is by no means absent in the present system and by the continuance of the present system it is much more alive or continuous than it would be under the new system. What Government therefore provisionally decided was this. As in the case of all income, a person is bound to pay to the State a portion of his net income in return for the benefits derived or derivable from the State. It is generally conceded now

[President.]

that the income tax is the most equitable method of dealing with the phenomenon of assessing the liability of the citizen to the State.

If, however, on account of certain accidents of fire, flood, famine or pests, a person does not derive anything as income, he does not pay anything. But on the other hand, if he gets more income he pays more, and it was considered that that was an equitable system. Two corollaries must be borne in mind. Already in the case of the agricultural income-tax, it was found that a large percentage of people used to partition and divide their properties with a view to divide the incidence of agricultural income. That has been prevented by a notification and an Act has been passed. It is not intended that persons should be penalised for things for which they are not responsible. But for instance, if a person does not cultivate his land which should be cultivated, then Government are so strongly of the opinion that in the conditions of this State no arable land should be allowed to remain waste, that they will or they propose to tax the person even though he does not cultivate the land. It is a matter which is one for discussion.

The other point is this. There was an apprehension expressed in certain quarters that there would be victimisation. I cannot understand how that can arise. Nobody who gets less than say Rs. 2,000, from land will have to pay any agricultural income-tax. That means that the only burden of all persons getting a net income below Rs. 2,000 is the basic land-tax. Of course I do not deal with the case of persons who are practising a profession and have a shop or two, and conduct trade in chillies, or onions, let us say, or do something else. If they get income from other sources and when that is added to the total income it comes above Rs. 2,000, of course then they are liable to income tax on what is called a consolidated basis. But no peasant or farmer who gets less than Rs. 2,000 by way of net income would be liable to this income-tax. What does it mean? Lands are so minutely fragmented and subdivided and the whole income of an average land-holder is so small that there are not likely to be more than 500 or 1,000 persons in the State who will get more than Rs. 2,000 as net income. The suggestion is that these five hundred or one thousand persons who are very liable to take care of themselves are going to be victimised by the revenue officers. We know that these officers will not go anywhere near them. But there are hundreds of thousands of people who will not be subjected to any income-tax at all. Therefore, it seems to me—that the doctrine advocated presumably for the small minority cannot be maintained. It has been stated elsewhere and I wish to repeat it here that there is not intended to be

an annual revaluation. It is not like a trade or profession. A lawyer may make Rs. 2,000 in a particular year. The next year his income may be only Rs. 1,000. So the average income on which he has to pay income-tax will be big in one year while in the next year it may be very small. But in the case of land there are not such violent fluctuations. Once the yield from a piece of land has been fixed, generally speaking, that should be taken as the basis of taxation for three or five years and nobody will make a variation during that period. That is the root idea under the new taxation scheme. I may add that the principle of basic tax has been approved, I believe, practically unanimously, and the agricultural income-tax has been approved only with a difference of three or four votes elsewhere. The whole matter will arise for discussion here.

These are the main matters which I wish to place before this House. I thought it incumbent upon me to take the House into my confidence so that they may know what the policy of the Government is and what has been done elsewhere.

PANEL OF CHAIRMEN.

President: Order, order. Under sub-rule (1) of Rule 3 of the Travancore Legislative Rules, I nominate Mr. T. W. U. Park and Mr. G. Narayana Aiyar to form the Panel of Chairmen for this session of the Council.

ANNOUNCEMENT RE: ELECTIONS TO COMMITTEES.

President: The House will have to elect two members to the P. W. D. Advisory Committee, one member to the Standing Finance Committee, one member to the Public Accounts Committee and two members to the Committee of Privileges of the Legislature. The elections will be held on Saturday the 18th August 1945 after the business of the day is over, under the chairmanship of one of the panel of Chairmen. The ordinary system of voting by ballot will be adopted.

I have already told the honourable members of the House what I wish to say on the Education Re-organisation Committee's recommendations and the discussions thereon.

MESSAGE FROM THE SRI MULAM ASSEMBLY.

Secretary: Sir, I beg to report that the following message has been received from the Secretary to the Sri Mulam Assembly:—

"Under Rule 42 of the Travancore Legislative Rules, I am directed to inform you that the Sri Mulam Assembly, at its meeting held on the 23rd July 1945, agreed without any amendment to the Travancore Registration of Births and Deaths Act (Amendment) Bill which was passed by the Sri Chitra State Council on the 15th June 1945."

BILLS ASSENTED TO BY HIS HIGHNESS THE MAHARAJA.

Secretary: Sir, I beg to report that the following Bills have received the assent of His Highness the Maharaja :—

(1) The Travancore Chitties Bill.
(2) The Travancore Local Authorities Loans Bill.
(3) The Travancore Village Panchayat Act (Amendment) Bill.
(4) The Travancore Registration of Births and Deaths Act (Ammendment) Bill.

STATEMENT LAID ON THE TABLE.

Mr. S. Narayana Aiyar (*Financial Secretary to Government*): Under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Act II of 1108.

Demand.	Amount in Rupees.	Particulars.
III. 36. Buildings, Communications, etc.	50,000	For constructing the collapsed bridge in 2/4 Northern outlet road.
47 A, (b) Water Supply to the Municipal towns of Alleppey, Nagercoil, Shencotta, etc.	59,390	Additional provision for mofussil water supply schemes.
XXVII. 30. Public Health and Sanitation.	7,500	Additional funds under 30 (h) Milk Canteen Scheme.

LEGISLATIVE BUSINESS.

THE TRAVANCORE CHILDREN BILL.

Mr. N. Ramakrishna Pillai (*Legal Remembrancer to Government*): Sir, I move that the Travancore Children Bill as passed by the Assembly be taken into consideration.

Mr. S. Narayana Aiyar: I second it.

The question that the Travancore Children Bill be taken into consideration was put and carried.

Clauses 1 to 62.

The question that clauses 1 to 62 stand part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble and title.

The question that the preamble and title stand part of the Bill was put and carried.

The preamble and title were added to the Bill.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Children Bill be passed.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried, and the Bill was passed.

THE TRAVANCORE BORSTAL SCHOOLS BILL.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Borstal Schools Bill as passed by the Assembly be taken into consideration.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried.

Clauses 1 to 20.

The question that clauses 1 to 20 stand part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble and Title.

The question that the preamble and title stand part of the Bill was put and carried.

The preamble and title were added to the Bill.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Borstal Schools Bill be passed.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried, and the Bill was passed.

THE TRAVANCORE INDUSTRIAL STATISTICS BILL

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Industrial Statistics Bill as passed by the Assembly be taken into consideration.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried.

Clauses 1 and 2.

The question that clauses 1 and 2 stand part of the Bill was put and carried.

The clauses were added to the Bill.

Clause 3.

Mr. G. Narayana Aiyar (*Nominated*): Sir, I beg to move the following amendment:—

> **Add the following as sub-clause (c) to clause 3, "(c) Agricultural and Industrial products in the State." Sir, there is great necessity for having a statistics with regard to the agricultural and industrial products in the State.**

President: I fully realise the implications of what the honourable member says. If the honourable member will allow me to say so, I would rather advise him to wait for some time more when it may be necessary to amend some of the provisions in the Bill. I may, on behalf of Government, say that such amendments as are necessary will be brought forward if they are found necessary.

Mr. N. Ramakrishna Pillai: Sir, when the rules are framed, this matter may be borne in mind, and if possible, something can be done.

Mr. G. Narayana Aiyar: In view of the assurance given by the Government, I do not press my amendment.

The amendment, by leave, was withdrawn.

Clauses 3 to 11.

The question that clauses 3 to 11 stand part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble and title.

The question that the preamble and title stand part of the Bill was put and carried.

The preamble and title were added to the Bill.

Mr. N. Ramakrishna Pillai: I move that the Travancore Industrial Statistics Bill be passed.

Mr. S. Narayana Aiyar: I second it. The motion was put and carried, and Bill was passed.

THE TRAVANCORE MOTOR VEHICLES ACT (AMENDMENT) BILL.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Motor Vehicles Act (Amendment) Bill as passed by the Assembly be taken into consideration.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried.

Clauses 1 and 2.

The question that clauses 1 and 2 stand part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble and title.

The question that the preamble and title stand part of the Bill was put and carried.

The preamble and title were added to the Bill.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Motor Vehicles Act (Amendment) Bill be passed.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried, and the Bill was passed.

THE TRAVANCORE REGISTRATION ACT (AMENDMENT) BILL.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Registration Act (Amendment) Bill as passed by the Assembly be taken into consideration.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried.

Clauses 1 and 2.

The question that clauses 1 and 2 stand part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble and title.

The question that the preamble and title stand part of the Bill was put and carried.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Registration Act (Amendment) Bill be passed.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried and the Bill was passed.

THE TRAVANCORE PUBLIC HEALTH BILL.

Mr. N. Ramakrishna Pillai: Sir, I move that the Travancore Public Health Bill as passed by the Assembly be taken into consideration.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried.

Clause 1.

Mr. K. A. Raman Pillai: Sir, I beg to move the following amendment :—

> "In clause I, sub-clause (2) add after the word Travancore the following words "except to such local areas as may at any time be notified by Our Government in the Government Gazette".

My object in bringing this amendment is to make the necessary provisions to invest a discretionary jurisdiction in the Government to exclude mainly the Trivandrum Corporation from the ambit of this Bill, if the Corporation is discharging its functions to the satisfaction of Government in the matter of its health activities. Public health and sanitation are the two most important obligatory functions of the Corporation and the Municipal Councils. As regards the Corporation, these functions are discharged by the authorities constituted under the City Municipal Act. The authorities of the Corporation who are responsible for the public health and sanitation are the Corporation Council, the Health Standing Committee and the Commissioner and they have also got the powers of appointment and control of the health section. The effect of the provisions of this Bill will be practically to nullify the powers vested in these authorities and to vest them in the Health Officer who is only an employee of the Corporation and in the Director of Public Health who is an extraneous authority so far as the Corporation is concerned.

President: Does it take away the powers of the Corporation to lay down rules?

Mr. K. A. Raman Pillai: Practically the powers which are of a substantial nature are vested in the Health Officer and the Director of Public Health. When the Bill becomes law the functions of the Corporation will be reduced to a collecting agency without any effective voice in the disposal of its funds.

I shall substantiate my arguments by a reference to the relevant provisions of the Bill.

Now, section 6 clause (1) of the Bill lays down that "the public health establishment of every local authority shall be on such scale as Our Government may from time to time direct." and clause (2) says.

> "The authorities who may make appointments to the public health establishment referred to in sub-section (1), the conditions of service of the members of such establishments and the duties of such members shall, notwithstanding anything contained in the Trivandrum City Municipal Act or the Travancore District Municipalities Act" etc.

That is to say notwithstanding anything contained in these Acts, it is open to the Government to lay down regulations by means of which appointments may be made and the control of the staff regulated. Those powers are now vested in the Health Standing Committee and the Commissioner in the Corporation Council. f the appointment in the public health establishment is one the pay of which does not exceed Rs. 100, it could be made by the Commissioner as regards the Corporation. When it exceeds Rs. 100 the appointmant is to be made by the Mayor. The schedule of appointment must be laid before the Corporation Council and the Council is competent to make such amendments as they deem fit. Of course, under the existing provisions of the Public Health Bill, it will be quite in order to prescribe regulations by means of which the power of appointments and control of staff may be vested in any other authority than that mentioned in the City Municipal Act. It is open...............

Mr. K. G. Kunjukrishna Pillai: No.

Mr. K. A. Raman Pillai: I say, yes, the only restriction is that those regulations should not be inconsistent with the Public Health Bill. That is one thing.

Then, Clause 11 would have it that subject to such rules as may be prescribed including rules for consultation with the local authorities concerned the Director of Public Health shall have power to transfer any member of the Public Health establishment of a local authority to the Public Health establishment of another local authority,... ..etc. Then again, the Corporation is the offspring of the City Municipal Act and the municipalities are established by the District Municipalities Act. They are each governed by two different Acts. Under the present provision, it will be competent for the Director of Public Health to transfer any employee from the public health establishment of the corporation to the public health establishment of any Municipal Council. It will be quite possible to transfer any employee from the health section of the Trivandrum Corporation to the health section of Colachal Municipality. If both the corporation and municipalities are established

[Mr. K. A. Raman Pillai.]

under the same Act, it would be perhaps understandable. Formerly all the Municipalities were constituted by the Municipal Act of 1095. But, now they are functioning under two different Acts. To enable the Public Health Director to wield powers of transferring persons from the public health establishment of the corporation to any another municipality is to allow him to encroach upon the powers now vested in the authorities of the corporation. As a matter of fact it will be seen from the scheme of the City Municipal Act that the Health Officer is only a subordinate authority of the corporation. He is subject to the orders of the Commissioner and the council of the Corporation.

Then again, Clause 12 lays down thus.

> "The Health Officer in charge of any local area shall exercise supervision and control over all the members of the public health establishment in such area.
>
> "Save as otherwise provided in this Chapter or in any rules or regulations made under it, all appointments, transfers and punishments of the members of the public health establishment under the supervision and control of the health officer shall be made by the health officer, subject to the approval of the executive authority".

If there is difference of opinion between the executive authority and the Health Officer the executive authority shall abide by the orders of Government. These provisions are in derogation of the provisions in the City Municipal Act.

Mr. K. G. Kunjukrishna Pillai: Sir, one question. His amendment is to enable the Government at any time to make an exemption. His argument is that the corporation is handicapped because of this Bill. How does it induce .....

Mr. K. A. Raman Pillai: Sir, I said at the outset that a discretionary power be vested in Government. It is only a modest request that I make. If the Government are satisfied that...

President: There is one difficulty which the honourable member will have to bear in mind in discussing this matter. He is an experienced councillor and therefore I am putting it to him. I admit for a moment without controversy that the Corporation was doing certain work in the matter of public health; but epidemics do not generally confine themselves to geographical boundaries, and assuming that an outbreak of malaria starts in the foothills ten or fifteen miles away, as it indeed did not long ago on a previous occasion, honourable members will concede that a uniform set of rules and regulations and the application of those uniform rules

over a big area and a concerted effort would be necessary. Would it not then to tend to create cleavage of opinion if, for instance, the corporation of Trivandrum, exempted as it is sought to be, were to take one line of conduct which is not in consonance with the line adopted by the Government? It is not an imaginary contingency. It arose not long ago in Calcutta. Certain health regulations and appointments of certain officials were suggested by the Government of Bengal to the Corporation of Calcutta. The Corporation by a fairly large majority of votes said that the Government were encroaching, and that they did not propose to adopt the public health rules proposed by the Government or to appoint persons or to remove the officers whom the Government considered inefficient. The result of it, as honourable members who are perusing the newspapers might have realised, that the Government proposed to take over the Corporation of Calcutta. Thereupon, there was another series of meetings held and they came to a compromise. Therefore, the whole problem is not very imaginary. I am not assuming that the Corporation of Trivandrum would be reckless or would make things difficult for the Government. But honourable members, they say that they should exempt the corporation, should bear in mind that point.

Mr. K. A Raman Pillai: Sir, there are ample provisions in the City Municipal Act, empowering Government to take such steps as are necessary.

President: Yes, the powers of Government are so drastic. But once you start it as a self governing organisation, it is very difficult for Government to say "we think different from you, you do so and so".

Mr. K. A. Raman Pillai: Of course, it is open to Government to exercise all those powers. It can be seen that the City Municipal Act is modelled on the provisions of the Madras Act, and in the Public Health Act of Madras, special provisions are made so as to exempt the Madras Corporation from certain provisions of the Public Health Act.

President: I happened to know that fairly well.

Mr. K. A. Raman Pillai: That is to say in regard to the controlling and appointment of the Health staff. The Corporation of Madras is exempted from the particular provisions of the Madras Public Health Act.

Mr. K. G. Kunjukrishna Pillai: Here also.

Mr. K. A. Raman Pillai: I do not know how the Advocate General says that here also there are exemptions.

Then the next question is whether there is any necessity for this. There are parallel provisions relating to mosquito control, water supply etc., in the City Municipal Act and if other provisions are necessary, that may be framed under Section 366 of the City Municipal Act by way of bye-laws.

Then, the question is whether the Corporation of Trivandrum carries out its duties satisfactorily. I was extremely happy at the observations of the President regarding the work of the Corporation in the matter of Public Health.

Mr. G. Ravi Varma: Is it a question of wounding the self-respect of the Corporation?

Mr. K. A. Raman Pillai: Certainly not. The question of self respect does not arise. When I say that the Corporation of Trivandrum should be excluded from the ambit of the Bill, I only mean that the Corporation when it carries out its duty satisfactorily should be exempted. Again the Council of the Corporation shall appoint a Health Officer. That is what the City Municipal Act says. So, there cannot be any question of evasion regarding that. And we are also having our Assistant Health Officer, Mosquito Control Officers, Sanitary Inspectors and others.

With regard to the question of providing funds, the provision in the Public Health Bill is that 30 per cent of the amount should be earmarked for public health activities. But the Corporation is spending more than 40 per cent of its income, more than two lakhs every year for its health activities. The Corporation maintains public comfort stations, maternity and child welfare centres, parks and other institutions. So, there is no question of the Corporation failing to discharge the functions expected of it.

Then, with regard to the propriety of excluding particular areas, it may be mentioned that the Public Health Act of England (1936) extend to England and Wales exclusive of the administrative county of London.

I also note that the bill as passed by the Assembly contains a a provision for the formation of a Public Health Board and I am thankful to Government that due representation is proposed to be given to the Corporation of Trivandrum and the Municipalities on the Public Health Board. But that does not solve the problem that I now raise. Moreover, the demand that I have made is only very modest. What I say is that a discretionary power may be

vested in the Government to exclude particular areas from the ambit of the Bill. It is a modest demand.

Sir, with these words, I move the amendment for the kind consideration of the House.

Mr. G. Narayana Aiyar: I second it.

Mr. K. G. Kunjukrishna Pillai; I am afraid, the amendment proposed by the honourable member will not give him the advantages that he says, he seeks out of it. The amendment is to enable the Government to exempt or except local areas whenever the Government think fit. It is the Government that have sponsored this Bill. It is the Government, according to my honourable friend, that have now trodden on the privileges of the Corporation. Therefore,..............

President: What the member expects is that after this speech, the trodding will be softer.

Mr. K. G. Kunjukrishna Pillai: So, the amendment proposed is not going to benefit the Corporation or any Municipality, because it is the Government who feel strongly that there should be an Act which must prevail over the whole of the State. Therefore, the object of the amendment is not likely to be achieved.

Secondly, if only my honourable friend had given his attention to one broad point, he would have seen how difficult it would be to carry into effect the provisions of the Bill if the amendment has been passed. I will illustrate. It will be seen from every chapter of the Bill that the local authority has to do many things. In some cases, the Government may direct the local authority to do certain things. Take, for example, Section 15 of Chapter 3. "Every local authority may, and if Our Government so direct shall, provide or arrange for the provision of a sufficient supply of drinking water for consumption by the inhabitants of the area within its jurisdiction." So, if the Government take it into their head to exempt, say, Alleppey from the provisions of this Act, the section which gives power to the local authority and in fact the whole chapter will be inapplicable to the Municipality. Take again the case of the Corporation itself. All these chapters are in one sense merely advisory and almost every chapter begins with a clause that the local authority shall supply, shall prevent contagious diseases, shall provide lodging houses, etc. Each chapter is intended to control a particular activity of the Public Health Department. In fact, the whole Bill is intended to control the work of Public Health in the State. Supposing the Government put up a notification to the effect that Alleppey or Trivandrum shall be

[Mr. K. G Kunjukrishna Pillai.]

exempt from the operation of this Act—that is what the amendment seeks—the whole thing will come to a standstill and no action could be taken by the Corporation or by the Municipality on any of these things, because there will be no Act applicable to that locality.

Mr. K. A. Raman Pillai: May I ask the honourable member whether he does not find parallel provisions in the City Municipal Act?

Mr. K. G Kunjukrishna Pillai: We do find parallel provisions in other Acts for certain things, for example, take leper control. Most of the provisions in the City Municipal Act regarding that control are contained in the Public Health Bill. Take again the case of contagious diseases or the case of overcrowding. The honourable member will agree with me in private (laughter) that there is no doubt in this matter. This Bill contains a large number of additional provisions and a large number of amplificatory provisions. Therefore, I submit to the House that if you empower the Government by this amendment to exempt a particular locality from the operation of this Act, a grave danger will result out of it. Supposing the Government act upon that power, say, in times of emergency, nothing could be done in particular localities.

Coming to the grievances of the Trivandrum Corporation, I agree that the Trivandrum Corporation has now got certain powers. Nobody wants to infringe on those powers of the Corporation. The powers given under this Act are parallel powers given to another body. The real difficulty will arise only when the views of the Corporation come into conflict with those of the Director of Public Health. Supposing, for instance, an epidemic like cholera is raging both inside and outside the City and the City Municipality comes to the conclusion that certain measures taken by it are sufficient, and the Director of Public Health on the other hand feels that they are not sufficient, what is the gain that the Corporation would get upon this matter? After all, this is not a matter of privilege but of duty. Whenever there is a conflict, it would arise out of the discharge of the duty and not out of the exercise of the privilege. What is the difficulty for the Corporation in discharging a special duty? If another authority can also discharge the duty, probably with greater powers, there will be no question of infringing any one's privileges. That is the real point at issue. The two sections that have been pointed out by the honourable member really do not affect the issue. Of course, it is true that the Corporation appoints its own Health Officer. Take, for instnce

the Trivandrum Corporation. It appoints a Health Officer. There is an epidenic of malaria in Pathanamthitta taluk. The Public Health authorities are short of hands. So, the Corporation Health Officer is immediately transferred to Pathanamthitta taluk. Does this House want it or not? The Corporation has an Assistant Public Health Officer of equal competency. The Corporation does not suffer if its Health Officer is transferred and in fact that is what is happening today. The Health Officer is being utilised elsewhere to deal with cases of emergency.

Mr. K. A. Raman Pillai: The services of the Corporation are requisitioned by the Government and the Corporation allows it. That is all.

Mr. K. G. Kunjukrishna Pillai: Supposing the Corporation does not allow it. Then this Act would make Government act. These are matters in which larger questions are concerned and therefore, I would request the honourable member not to look at it from a parochial point of view. No self-respect is affected, because the Corporation has ample powers. The honourable member says that under this Act, we are only asking for thirty per cent of the income to be set apart for Public Health but that we are spending fifty per cent. What does it matter if we spend 50 or more per cent in the interests of public health in the State? We should insist on the Corporation spending a minimum of 30 per cent. There is absolutely no conflict between the Corporation Act, the Municipalities Act and the Public Health Act. Therefore, in the interests of the whole State it is absolutely necessary that certain powers should be given to the Government and the Public Health Director in an emergency, to supersede, if necessary, the Corporation or any Municipality. Nothing more is contemplated, and no Corporation if it looks at the matter not from its own point of view, but from the point of view of the whole state, will have any cause for complaint. Therefore, on these two grounds, I oppose the amendment and hold that the amendment would not give what is wanted. The amendment if carried, would make it impossible for certain sections to be applied. Thirdly, the Corporation, in essence, is not affected by the amendment. I therefore oppose the amendment on these grounds.

Mr. K. A. Raman Pillai: In view of the statement of the President and of the Advocate-General, I beg leave to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Clauses 1 to 163.

The question that clauses 1 to 163 stand part of the Bill was put and carried.

[Mr. K. A. Raman Pillai.]

Clauses 1 to 163 were added to the Bill.

SCHEDULE, TITLE AND PREAMBLE.

The question that the Schedule, title and preamble stand part of the Bill was put and carried.

The Schedule, title and preamble were added to the Bill.

Mr. N. Ramakrishna Pillai: I move that the Bil be passed.

Mr. S. Narayana Aiyar: I second it.

The motion was put and carried, and the Bill was passed.

President: The business of the House being over, the House will now adjourn and meet again at 12 Noon tomorrow.

The House rose at 1·25 P. M.

Council Office,
10th August 1945.

S. VAIDYANATHA AIYAR,
Secretary to the Sri Chitra State Council.

List of amendments to the various Bills passed by the Sri Mulam Asssembly at its meeting held on the 23rd July 1945.

THE TRAVANCORE INDUSTRIAL STATISTICS BILL.

(1) In clause 8, for the words "two hundred and fifty rupees" substitute the words "five hundred rupees" and for the words "one hundred rupees' substitute the words "two hundred rupees."

(2) In clause 9, for the words "five hundred rupees" substitute the words "one thousand rupees."

THE TRAVANCORE PUBLIC HEALTH BILL.

(1) In clause 1 (1) for the figures "11 " substitute "1121."

(2) In clause 26, sub-clause (1) proviso (*a*) delete the words "one hundred" and substitute the word "ten."

(3) After clause 159, insert the following new clauses renumbering the subsequent clauses :—

"160. (1) As soon as may be after the commencement of this Act, Our Government shall cause to be constituted a Public Health Board consisting of,—

(*a*) the Director of Public Health ;

(*b*) the Surgeon General ;

(*c*) three members elected by the Legislature—two from the Sri Mulam Assembly and one from the Sri Chitra State Council ;

(*d*) two members nominated by Our Government—one representing the Trivandrum Corporation and the other representing the District Municipalities in the State ;

(*e*) two officers nominated by Our Government.

(2) The members elected under clause (*c*) of sub-section (1) shall hold office for a period of one year from the date of election, but shall be eligible for re-election.

(3) The Director of Public Health shall be the President of the Board and one of the officers nominated by Our Government under clause (*e*) of sub-section (1) shall be the Secretary.

161. (1) The Public Health Board shall advise Our Government on such matters as Our Government may from time to time refer to it.

(2) The meetings of the Board and the mode of transaction of business at such meetings shall be governed by such regulations as may be framed by it.

(3) The proceedings of the Board shall not be invalidated by reason of any vacancy in the office of the President, the Secretary, or a member."

THE TRAVANCORE MOTOR VEHICLES ACT (AMENDMENT) BILL.

In clause 1 (1) for the figures "112" substitute "1120."

Assembly Office,
Trivandrum, 23rd July 1945.

S. VAIDYANATHA AIYAR,
Secretary to the Sri Mulam Assembly.